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'Really outrageous' green card scam Reps. Honda, Lofgren intervene

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Two South Bay members of the House of Representatives on Wednesday urged Attorney General John Ashcroft to intervene on behalf of 275 Korean immigrants who may face deportation.

Reps. Mike Honda and Zoe Lofgren, both San Jose Democrats, said in a letter to Ashcroft that the immigrants are the likely victims of fraud and should not be deported without a case-by-case review.

"This is really outrageous," said Honda. "This is not according to the value system we have in this country; we should take care of them and take care of this situation."

Most of the 275 immigrants are from the Bay Area. They claim they are the innocent victims of a scheme cooked up between several South Bay immigration brokers and an Immigration and Naturalization Service official, who granted the green cards.

The immigrants paid thousands of dollars to brokers they believed would expedite their cases. But the brokers used the money to bribe the INS supervisor.

The INS now considers those green cards as illegal because they were obtained through bribes.

Of those with suspect permanent resident cards, one has been deported, a handful have already left voluntarily, at least 14 have been brought up on deportation hearings, while the rest anxiously await word on whether they too will be forced to leave, said Santa Clara attorney Alex Park, who is representing 95 of the immigrants.

For the last eight years, Seong Soon Han possessed what she thought was a legal green card. But her documents have become tainted through no fault of her own, she said.

"I'm really worried," said Han, a 42-year-old Vacaville violinist. "I really had no idea."

While the four brokers were convicted in 1999 of fraud and bribery, their clients -- engineers, scientists and business owners -- are being pursued for obtaining fake immigration documents.

"It's devastating," Park said. "They can't plan for their future, they're in abject fear. For most of the people there is no there to go back to."

On Wednesday, Honda and Lofgren asked Ashcroft to suspend deportation proceedings and give the immigrants a chance to prove their innocence. Honda said the immigrants never participated in the fraud and shouldn't be treated as criminals.

The INS refused to comment.

"It's an ongoing criminal investigation so we can't come out with any information," said INS spokeswoman Sharon Rummery.

Some of the immigrants holding bogus immigration documents said they aren't sure of their next move. Many have put off plans, delayed vacations and even held off on sending their children to college and graduate school.

"It takes a huge emotional toll to lead your life with this weight over your head while you go to work, live your life, and think about the future," said Ben, 25, a Bay Area software marketing manager who arrived from South Korea 10 years ago with his parents.

Han said she paid \$45,000 for herself and her husband to obtain their green cards. While she has yet to be contacted by the INS, Han is worried that if the government doesn't come for her in the coming months, the agency will simply revoke her green card when she reapplies.

"I have two years left on my green card, so in two years from now, what will happen?" she asked.

Park said the scheme began in 1986, when San Jose engineer John Choe approached INS supervisor Leland Sustaire with the idea of accepting money in exchange for approving green cards.

After Sustaire agreed, Choe began an immigration consulting service, charging \$5,000 to \$30,000 for every client who wanted to get their permanent resident application approved.

Choe told clients, many of whom he met through a now-defunct church in Cupertino, that the fees went to pay for lawyers who would speed up their cases, which often took up to two years to be heard. What he wasn't telling them was he was splitting the money with Sustaire.

Sustaire eventually took in more than \$500,000 in the scam, which continued until 1998. He finally turned himself in to the Department of Justice and agreed to provide evidence against Choe, his wife Cherie Choe and her sister Song Ja Byun, along with Daniel Lee, another San Jose immigration broker who began working with Sustaire in 1993.

For his cooperation, Sustaire paid \$7,500 in fines, and spent six months confined in a halfway house and six months in home confinement, at his ranch in Tracy. The four brokers, convicted in 1999, served sentences ranging from four months to three years.

As part of the brokers' criminal trial, Sustaire provided a hand-written list of 275 people to whom he granted green cards. He put the list together from his memory because he had long ago burned all his files to destroy any incriminating evidence.

Shortly after the end of the trial, the INS took the list and began looking for the immigrants, posting their names on watch-lists at local airports.

Park said his clients should not be punished because they never attempted to knowingly defraud the government.

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